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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,926	11/08/2000	Graham Button	D/A0608	9618

7590 01/06/2004

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EXAMINER

IRSHADULLAH, M

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 01/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/707,926

Applicant(s)

BUTTON ET AL.

Examiner

M. Irshadullah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2000 and 14 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings were received on January 14, 2002. These drawings have been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Lobiondo (US Patent 5,287,194).

Lobiondo discloses:

Claim 1. Method for processing a print job by at least a first and a second print shop which are geographically distributed whereby:

a) said print shops are connected via a computer network (Fig. 1 {printers 10 interconnected or networked via 20}, col. 3, lines 18-27, wherein "printer locations", local or remote (Col. 4, lines 16-19), representing "print shops". Moreover, reference's "printshop" being exemplary (Fig. 2, described lines 63-68) and generic would encompass more than one printshops);

b) each print shop forwards a production schedule to a central repository connected to said computer network, said production schedule comprising data allowing

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a graphical representation of the respective production schedule (Col. 6, lines 22-41, wherein "job inputted" from workstation 30 (Lines 27-41) at a location is "sending or forwarding" the job to print server or spooler 60 {repository}, on the network 20. Cited scheduler 50 allocating or scheduling the jobs and sending confirmation to the job requester at display 75 of user interface 40 {which is same as workstation 30 in Fig. 1}, Fig. 2, and since system is menu driven (Lines 19-21), the display 75 would depict information regarding scheduled job or "production schedule" in graphical format);

c) said first print shop lacking sufficient printing capacity for processing said print job accesses the production schedule of said second print shop via said central repository (Col. 4, lines and 46-65, wherein scheduler 50's determination that single printer at a location or "first print shop" cannot print the job owing to "printer's {less} production speed", inferring "lacking sufficient capacity" and scheduler 50's allocation of job or portion thereof to other printer at another location {second print shop" pointing to "accessing second print shop's production schedule" and since scheduler works with print server or spooler 60 {repository} indicating that the scheduler performs access through or via spooler or repository 60);

d) said first print shop displays the production schedule of said second print shop (Fig. 2, described col. 5, lines 63-65, wherein "any of the reprographic machines or printers at a location" representing "first print shop" and a user would use "display75, Fig. 2, at said location or first print shop for depicting the job allocation or schedule of another location or second print shop); and

e) said first print shop transfers at least part of said print job to said second print shop, if spare printing capacity is indicated in the displayed production schedule of said second print shop (Col. 4, lines 54-65, wherein "allocating print job as much as possible" and allocating "remaining portions" to other printer or printers at other location(s) indicating "transferring" the job and "allocating or scheduling" job to other or second printers at other location inferring availability of "extra or spare capacity" of the other or second location or print shop).

Claim 2. A method according to claim 1, wherein said production schedule data, which are suitable for a storage in the central repository, are created as a digitized photograph from a hard copy of the production schedule (Fig. 2 and col. 6, line 1, wherein cited "scanner section 35", would provide claimed "digitized photograph" of any document including "printed or hard copy" of the production schedule).

Claim 3. A method according to claim 1, wherein said production schedule data, which are suitable for a storage in the central repository, are created by a computer-aided scheduling tool (Col. 4, lines 35-39, wherein "sending digital representation" to network printers inferring the reference's capability of generating or creating computerized or computer-aided print job allocation or scheduling means or tool. Moreover, Scheduler 50 being computer device, Fig. 3, having Menu would produce or create print allocation or schedule).

Claim 4. A method according to claim 1, wherein the production schedule is delivered from the central repository to the first print shop only in case that the first print shop satisfies access conditions which are defined by the second print shop (Col. 4, lines 35-57 and col. 5, lines 27-33, wherein "server or spooler 60" sends or delivers requested print job through scheduler 50 to any of the printer locations or print shops and recitation of "user requesting to allocate or schedule to different printer at some specific location or print shop and have the scheduler 50 allocate or schedule the job at requested location or print shop" inferring reference system's capability to provide flexible programming to achieve different function or functionality from the same means or device, such as displaying print job allocation or schedule, which capability a user would use for claimed purpose).

Claim 5. A method according to claim 1, wherein the said first print shop only displays production schedules of second print shops which are located within a pre-defined geographical region (Col. 5, lines 15-38 and discussion in Applicant's claim 4. Cited "predetermined location" pointing to "pre-defined geographical region").

Claim 6. A method according to claim 1, wherein the said first print shop only displays production schedules of second print shops which belong to a pre-defined group of preferred print shops (Col. 5, lines 15-38 and discussion in Applicant's claim 4. Cited "printers 10 located near predetermined location" indicating "pre-defined group of printers of user selected or preferred printer location or print shops").

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Umezawa, US Patent 5,784,484. Device For Inspecting Printed Wiring Boards At Different Resolutions.

B) Herr-Hoyman et al., US Patent 5,727,156. Internet-Based Automatic Publishing System.

C) Nardoizzi, US Patent 5,179,637. Method And Apparatus For Distributing Jobs Among A Network Of Image Processors And Print Engines.

D) Reed et al., US Patent 5,130,806. Job Comment/operator Messages For An Electronic Reprographic Printing System.

E) Fillion et al., US Patent 5,036,361. Job Requirement Calculation And Display.

F) Vergnaud et al., US Patent 4,984,234. Time-Division Switching System.


G) Fillion et al., US Patent 4,982,234. Exception Grouping For Machine Programming.


H) Ayata et al., US Patent 4,527,885. Image Recording System Having Multiple Image Recording Means.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Irshadullah whose telephone number is (703) 308-6683. The examiner can normally be reached on Monday-Friday 11:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 and for After Final (703) 872-9327.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


M. Irshadullah
December 23, 2003


Romaine J. Gentry
Primary Examiner
Art Unit 3623